

**NOTICE OF PUBLIC HEARING**  
**2008 Amendment to the King County Comprehensive Plan**  
**Proposed Ordinances 2008-0124, 2008-0125, 2008-0126, 2008-0127, 2008-0128**

NOTICE IS HEREBY GIVEN that the Metropolitan King County Council (Council) will hold a public hearing in the Council Chambers on the 10th Floor of the King County Courthouse, 516 Third Avenue, Seattle, WA, on Monday, September 29, 2008, beginning at 11:00 a.m. The purpose of this public hearing is to consider adoption of Proposed Ordinances (PO) 2008-0124, 2008-0125, 2008-0126, 2008-0127 and 2008-0128 (hereinafter "subject legislation") adopting amendments to the 2004 King County Comprehensive Plan, and as amended in 2006 (KCCP).

**Public Hearing**

King County encourages public comment at the September 29 public hearing. Testimony is limited to two minutes per speaker. If you wish to submit written materials for the Councilmembers' review, please provide 15 copies to the Council Clerk. The chambers are equipped with an audio/visual system capable of displaying 35mm slides, VHS tapes, overheads (transparencies are not necessary), and computer displays. Audio/visual presentations are included in the 2-minute timeframe. Testimony sign-up will begin at 10:30 a.m. on September 29 in the lobby outside the Council Chambers. Please call the Council office at (206) 296-1000 if you need directions to the Courthouse. If you prefer to call, write, fax or e-mail your comments to the Council, please contact Kendall Moore at (206) 296-1631 or [kendall.moore@kingcounty.gov](mailto:kendall.moore@kingcounty.gov).

**More Information**

The complete text of the subject legislation, as well as the GMNRC chair's striking amendments and amendments thereto, are available in the Council Clerk's office, Room W-1039, King County Courthouse, 516 Third Avenue, Seattle, WA. A copy will be mailed to you upon your request to the Clerk at (206) 296-1020. By August 27, complete public review copies will also be available at the following locations:

- on the Internet at [www.kingcounty.gov/council/clerk](http://www.kingcounty.gov/council/clerk)
- at all branches of the King County Library System

For background information on the 2008 Amendments to the KCCP, please visit the Council's 2008 Comprehensive Plan Update website at [http://www.kingcounty.gov/council/comprehensive\\_plan.aspx](http://www.kingcounty.gov/council/comprehensive_plan.aspx)

**Summary**

Proposed amendments to the KCCP were transmitted by the King County Executive on February 29, 2008 and reviewed by the Council's Growth Management and Natural Resources Committee (GMNRC). The GMNRC completed its review on August 5, 2008 and reported out to the full Council the subject legislation without recommendation. Proposed KCCP policy amendments are contained in Attachment A to PO 2008-0124, and would affect the following chapters: Introduction; Regional Planning; Urban Communities; Rural Legacy and Natural Resource Lands; Environment; Parks, Open Space and Cultural Resources; Transportation; Services, Facilities and Utilities; Economic Development; Community Plans; Implementation; and the Glossary. Proposed amendments to the land use map and/or zoning atlas are contained in Attachment F to PO 2008-0124.

**Final Consideration**

In addition to the proposed amendments contained in the subject legislation, Councilmembers may offer additional amendments for consideration by the Council. As a result, persons interested in any of the issues raised in the subject legislation should make their views known at the public hearing on September 29, 2008. Amendments that may be considered for adoption by the Council on September 29, 2008 or thereafter include, but are not necessarily limited to:

- any amendment contained in the Executive's proposed versions of the subject legislation;
- any amendment to the subject legislation recommended by the GMNRC Chair in his striking amendments;
- any amendment offered or discussed during the Committee's review of the subject legislation; and
- any other proposed amendment that is within the scope of the alternatives and has been available for public comment.

Dated at Seattle, Washington, this 25th day of August, 2008.

METROPOLITAN KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON  
Anne Noris  
Clerk of the Council

The pages that follow contain a summary of the significant proposed changes to the King County Comprehensive Plan, the guiding policy document for all land use and development regulations in unincorporated King County, and for such countywide regional services as transit, wastewater treatment, parks, trails and open space. This Plan is required by the 1990 state Growth Management Act.

The Council's GMNRC has held seventeen meetings focused specifically on the Comprehensive Plan Update, including four special evening meetings in the Snoqualmie, Ravensdale, Duvall and Renton areas to hear first-hand testimony from the public regarding potential impacts of the subject legislation. An evening work session was also held on Vashon Island. Public testimony was taken at sixteen meetings in all, as well as via fax, mail, e-mail and the Web.

## **OVERVIEW OF PROPOSED AMENDMENTS**

### **COMPREHENSIVE PLAN POLICY AMENDMENTS**

#### **Introduction**

- Adds new framework policies that form the foundation for more detailed policies in the topical chapters of the Comprehensive Plan

#### **Chapter 1: Regional Planning**

- Consolidates policies on County planning
- Updates references on regional planning
- Adds new policy recognizing the importance of considering planning for mitigation of and adaptation to climate change impacts
- Strengthens existing policy by stating that King County shall collaborate with others to conserve species and their habitats in order to prevent future listings under the Endangered Species Act
- Adds new policy mandating the County develop assessment tools to ensure that consideration of health, equity, and social and environmental justice are considered in land use decisions

#### **Chapter 2: Urban Communities**

- Adds new policy direction regarding the inclusion of rural churches in the UGA
- Recognizes the benefits derived from design of healthy communities on residents and reducing carbon footprint
- Adds new policy calling for cooperation in the design of communities to reduce heat absorption
- Updates the narrative text relating to Potential Annexation Areas to clarify the current status of the County's Annexation Initiative
- Modifies existing policy on density incentives to encourage use of transfer of development rights (TDRs)
- Recognizes the benefits of mixed-use development on the public health and reducing vehicle trips
- Revives Four-to-One program, as modified
- Modifies existing policy to reflect the current and anticipated magnitude of need for affordable housing for households as measured against percentage of King County median income
- Adds new policies supporting higher income thresholds for incentives to support affordable home ownership and rental housing development and preservation
- Adds new policy supporting the expansion of opportunities to build detached accessory dwelling units in the urban area
- Modifies existing policies to reflect stronger support for work with other jurisdictions to minimize regulatory barriers to housing for low-income and special needs households, and for ensuring and expanding affordable housing resources
- Adds new policies creating incentives for the development of affordable rental and ownership housing, including density bonuses, reduced parking requirements and expediting permits
- Adds new policy supporting employer-assisted, affordable housing accessible to employment location by alternative modes of transportation
- Modifies existing policy to clarify that the County shall prioritize the sale of surplus sites for affordable housing
- Adds new policy supporting integrating strategies of sustainable development and walkable neighborhoods in affordable housing developments
- Strengthens existing policy on maintaining and preserving mobile home parks

- Strengthens existing policy on developing standards for universal design in publicly funded housing
- Adds new policy promoting the use of land trusts in affordable housing development
- Strengthens existing policy on cottage housing development
- Replacement of existing Human Services policies and moves those to KCCP Chapter 8
- Strengthens existing policies on sustainable development and low impact development in both public and private development
- Encourages fruit and produce operations in the commercially zoned areas
- Includes increased linkage between land use policies and public health

### **Chapter 3: Rural Legacy and Resource Lands**

- Strengthens the concept that “Rural Area” designation to mean more than rural residential living and is intended to exemplify the multi-use nature of rural lands, meaning that working farms and forests, livestock uses, home-based businesses are an integral part of “Rural Character,” as opposed to a more narrow view as an area focused upon provision of low density, residential development
- Reinforces the need to sustain and enhance of the underlying economic health of the Rural Area and Resource Lands and continuing focus on:
  - Promoting “value-added” processing activities for both the agricultural and the forest industry within the Rural Area and Resource Lands
  - Working with cities to promote farmers markets and business that support agriculture
  - Promoting and supporting production, harvesting, processing and marketing of agricultural and forest products
  - Ensuring that regulation applying to agricultural and forest practices do not discourage such activities on lands in long-term agriculture or forestry
  - Expanding incentives to keep the Rural Area and Resource Lands in long-term agriculture or forestry
- Creates a Rural and Resource Land Preservation program to reduce and redirect rural development potential into the urban areas through a revised TDR program. The revisions create greater demand for TDR by allowing with the purchase of a TDR to:
  - Achieve even higher densities in urban area developments within designated commercial centers and activity centers with the use of TDRs
  - Comply with the provisions of the transportation concurrency program governing short plats within the Rural Area
  - Construct larger accessory dwelling units in the rural zones
- Addresses the needs of equestrian users in a manner that does not rely upon the map designation of specific areas as “Equestrian Communities” in order recognize that equestrian activities are found not just in designated communities but throughout the entire Rural Area, as well as in the Resource Lands, and are a key element in defining the character of these areas
- Creates new focus on increasing the health of the Rural Area residents text and policies that:
  - Links the concepts of walkable communities and local food production
  - Encourages pedestrian connectivity in the Rural Towns and Rural Neighborhood Commercial Centers
  - Promotes establishment of community gardens and other community-based food growing projects to serve the rural residents
  - Encourages local food production and increase the economic viability of local agriculture by supporting the infrastructure needed to move food from farm to market
- Amends polices to include:
  - Climate change reduction benefits from a sustainable forestry industry, and
  - Promotion of working with other agencies to monitor the effects climate change and green house gas emissions could have on these industries

### **Chapter 4: Environment**

- New introductory text
- New focus of chapter on biodiversity approach to conserving, preserving and protecting the environment and wildlife
- Technical change to existing policy regarding use of SEPA authority to development impacts on wildlife
- Strengthens existing water quality policy
- Adds new policy to include water quality as part of development's drainage review
- Adds new text and policies on how the County will assess climate change impacts
- Adds new policies on how the County will mitigate climate change impacts, including using SEPA authority
- Adds new policies on how the County will adapt to climate changes

- Adds new policies on how the County will collaborate with others on issues of climate change
- Adds new policies on air quality, including recognition of interrelationship between air quality and public health
- Modifies existing air quality policies to be more adaptable to effects of greenhouse gas emissions
- Adds new policy calling for cooperation in the development of healthy housing and community designs
- Adds new policies on biodiversity approach to managing, protecting and restoring ecosystems and habitat
- Adds new policy on use of information to influence decisions
- Adds new policy on implementing precautionary measures if development poses significant risk to environment
- Adds new policies on prioritizing conservation of rare ecosystems, habitats and species
- Adds new policy on integrating land and water management and planning
- Adds new policies on controlling non-native species
- Adds new policies recognizing role of forest cover in water quality protection
- Strengthens existing policies on protecting soils during development
- Adds new policy recognizing interplay between soils preservation and salmon in ecosystem
- Adds new policies and strengthening of existing policies on the use of organic matter in soils supplementation
- Strengthens existing policy calling for the use of reclaimed water
- Adds new policy and strengthening of existing policies on the use of water planning to protect water resources
- Clarifies existing policies of using information to develop tiered system of protection for aquatic resources
- Clarifies existing policies regarding wetland classification and regulation
- Adds new policy encouraging preservation of interconnected upland areas to wetlands
- Adds off-site compensatory mitigation to regulatory approaches protecting wetlands policy
- Clarifies existing policy on allowed alterations to wetlands
- Clarifies existing policies on mitigating impacts to wetlands
- Adds new policies on monitoring lakes
- Additions to existing policy regarding what the County should do to protect groundwater
- Adds new policy regarding monitoring climate change on groundwater
- Adds new policies and clarification of existing policies relating to rivers and their multifaceted roles and interrelatedness to species, humans and vegetation
- Adds new policy on alluvial fan management
- Adds new policy on collaborating with others to assess and monitor Puget Sound water quality
- Adds new policy encouraging the development of strategies to deal with failing septic systems near Puget Sound shores
- Clarifies existing policies expanding the areas in which the County will protect species or their habitat
- Addition of several new species as species of local importance
- Adds new policies on inventorying and mapping species, and taking native species into account in restoration planning
- Adds new policy on public outreach
- Adds new policy regarding County's role in reviewing hazardous waste permits
- Adds new policy on coordination with others on the identification of potential volcanic mud flows, and planning and regulations regarding this risk
- Adds new policies and clarification of existing policies relating to salmon recovery and coordinating with others
- Adds new policies relating to the County's participating in the Puget Sound Partnership
- Adds new section on monitoring and adaptive management, including new policies of how the County should gather and use information to manage its natural resources
- Adds new policies clarifying the County's roles and responsibilities with respect to other governmental regulatory agencies
- Adds new policy promoting reduction of greenhouse gas emissions by 80% below 2007 levels by 2050
- Adds new policy encouraging the use of appropriate County facilities and lands for p-patches and community gardens
- Clarification of existing policies that long term planning for telecommunications done by the service provider
- Adds new policy encouraging the creation of wireless internet connections for public use

## **Chapter 5: Not Used**

## **Chapter 6: Parks, Open Space, and Cultural Resources**

- New emphasis in existing policies on the benefits to public health the County's open space system engenders
- Recognition that regional parks and recreation should be equitably and geographically distributed
- Adds new policy that equity should be considered in the development and acquisition of the County's open space system to address health disparities and promote environmental justice
- Adds new policy that equity and environmental justice should be considered in the promotion and protection of cultural resources

## **Chapter 7: Transportation**

- The Transportation Chapter is amended by changing the Transportation Concurrency Management program. The methodology for determining congestion is based on the application of travel time standards to principal and minor arterials in each of 25 travel sheds.
- Adds new policy requiring right-of-way users to coordinate work in right-of-way with the County's Department of Transportation
- Adds new policy recognizing benefits of mimicking natural drainage elements in the County's stormwater infrastructure
- Clarifies existing policy regarding the County's responsibility to address the needs of persons with disabilities
- Adds new policy recognizing that urban connectors should not promote urban type development in the Rural Area
- Adds new level of service (LOS) standard for Urban Mobility Areas at LOS F
- Adds new LOS standard for Rural Mobility Areas at LOS E
- Adds new LOS standard for large Rural Neighborhood Commercial Centers at LOS D
- Adds new policy allowing purchase of TDRs to achieve concurrency
- Adds new policy on transportation mitigation fees
- Updates existing policies on arterials and streets regarding safety, congestion reduction and capacity needs
- Total revision of the County's non-motorized program and policies
- Total revision of the County's Transportation Demand Management program and policies, including variable tolling
- Adds new policies interfacing the County's climate change mitigation and adaptation objectives to transportation issues
- Clarifies existing Transportation financial policies
- Adds new policy directing the implementation of the Part 150 Noise Reduction Agreement between the FAA and the County

## **Chapter 8: Services, Facilities, and Utilities**

- Moves the revised Human Services policies to this Chapter
- Clarifies existing policies of the greenhouse gas reduction benefits from co-location or reuse of facilities and coordination of right-of-way construction
- Clarifies existing and addition of new water supply policies addressing the issues of: contents of water supply plans to be submitted to the County for review, the role of the Utilities Technical Review Committee, the hierarchy of water supply (Group A then Group B then private well)
- Revises existing policy regarding when wells will be allowed in the Rural Area
- Clarifies existing policy regarding authority issues to be resolved between the state, County and water purveyors
- Revises existing policy on coordinated regional water planning
- Adds new policies on the use of reclaimed water
- Adds new policy allowing the use of septic in the urban areas under limited conditions
- Adds new policy encouraging the use of low impact development to mitigate stormwater impacts
- Adds new policy regarding the sharing of costs of flood control between the County, the cities and the King County Flood Control District
- Adds new policies on County's use of renewable energy
- Adds new policy on implementing a strategic energy management program to measure performance
- Adds new policies on using energy efficient equipment and appliances, and green construction techniques
- Adds new policy encouraging the use of solar power
- Strengthens existing policy on the County's participation in licensing and relicensing of power generation projects
- Adds new policy promoting the use of biologically generated methane gas

## **Chapter 9: Economic Development**

- Consolidates economic development policies in one chapter to reinforce that these policies apply countywide
- Encourages creation of jobs that provide benefits and wage progression
- Reflects County's emphasis in promoting and providing more opportunities for small businesses
- Reflects change in the direction of the County's employment and job training towards targeting those involved in the criminal justice system and also summer programs for youth at risk
- Acknowledges the evolving nature of the rural economy and calls for the provision of annual reports to the Council outlining the progress towards implementing the Rural Economic Strategies

## Chapter 10: Community Plans

- Adds new policies encourage the use, whenever feasible, of rural road segment design within the Rural Town of Vashon
- Adds new policies focusing on the need for watershed planning to protect the sole-source aquifer on Vashon and Maury Islands and calling for measurement, monitoring and reporting of groundwater quality and quantity

## Chapter 11: Implementation

- Eliminates the Regional Business zone as a possible zoning category within the Unincorporated Activity Center Comprehensive Plan Land Use category
- Allows high density residential uses in commercial zones only as part of a mixed use development

## Glossary

- Adds definitions for: Precautionary Action, Resource Lands, designated, Water Reuse and Water System Plan
- Modifies definitions for: Nonmotorized Transportation, Reclaimed Water, Transportation Facilities and Services and Shall
- Deletes definitions for: Transportation Certificate of Concurrency and Tribe/Tribes, as well as terms related to the Shoreline Management Program

## LAND USE AND ZONING MAP AMENDMENTS

### Map Amendments Affecting the Urban Growth Area Boundary

- **Carnation** – Adds approximately 21 acres to the Rural City Urban Growth Area for the City of Carnation to replace 12 acres of developable land lost as a result of an adjustment by FEMA to the Flood Insurance Rate Map
- **Sammamish** – Adds the Mystic Lake Farm and ten parcels in the Camden Park development to the Urban Growth Area of the City of Sammamish
- **Snoqualmie** – Adds approximately 61 acres to the Rural City Urban Growth Area for the City of Snoqualmie near the intersection of SR-18 and I-90. ***Note: Subsequent to transmittal, the Executive proposed revisions contained in a new area zoning study dated June 5, 2008, which is a part of the record and has been forwarded to the Council for possible consideration.***
- **Coal Creek Park** – Adds approximately 183 acres to the Urban Growth Area, but will not increase development capacity due to City of Bellevue ownership and use of the property as a park
- **King County Fairgrounds/Enumclaw Exposition Center** – Adds 90 acres (including the King County Fairgrounds/Enumclaw Exposition Center, Sportsman Park and eight residential properties) to the Rural City Urban Growth Area of the City of Enumclaw
- **Maple Valley Summit Pit** – Adds approximately 156 acres to the Urban Growth Area for the City of Maple Valley
- **Rock Creek Natural Area** – Removes a 5 acre portion of County-owned open space from the Urban Growth Area
- **Dorre Don Reach Natural Area** – Redesignates and rezones County-owned open space parcels to Rural, but does not affect the amount of buildable land within the Urban Growth Area
- **Kathryn Taylor Equestrian Park** – Redesignates and rezones County-owned parcels to Rural
- **Eastridge Christian Assembly** – Adds three parcels and a small portion of another to the Urban Growth Area and Potential Annexation Area for the City of Issaquah

### Map Amendments Not affecting the Urban Growth Area Boundary

- **North Bend** – Corrects the land use designation and zoning on four parcels within the Rural City Urban Growth Area for the City of North Bend
- **Willows Road** – Applies the SO-060 Special District Overlay and new P-suffix development condition to allow Industrial and Commercial Business uses on the property
- **Hobart Rural Neighborhood** – Adds parcel adjacent to the Hobart Rural Neighborhood to permit expanded opportunities for services and convenience shopping for surrounding rural residents
- **Lake Desire Urban Separator** – Designates approximately 85 acres on the east and north side of Lake Desire to a Greenbelt/Urban Separator and zones the parcels R-1
- **Maple Valley Food Bank** – Adds parcel to the Maple Valley Rural Neighborhood to recognize historical and current use of the Maple Valley Food Bank property
- **SR 169 – Kummer Rural Neighborhood** – Adds a portion of one parcel and an additional parcel to the Rural Neighborhood Center at the intersection of SR 169 and SE Green Valley Road

- **SR 900 and S 129<sup>th</sup> St** – Redesignates and rezones properties on Martin Luther King Jr. Way/SR 900 to allow residential development up to 24 units per acre and deletes a p-suffix condition affecting potential industrial re-development
- **Crow Marsh Natural Area** – Redesignates and rezones County-owned parcels to Forest, consistent with the surrounding parcels
- **SE 208<sup>th</sup> St and Benson Highway** – Designates 4 acres of a 10.5 acre parcel as Community Business Center
- **SW 98<sup>th</sup> Street Corridor** – Adds six parcels to the Pedestrian Commercial Subarea in White Center and amends the pedestrian district overlay
- **Black Diamond** – Makes a technical correction to reflect a mapping update to the East Annexation Area and there is no net change to the Urban Growth Area
- **Maple Valley** – Corrects a mapping error and there is no change to the Urban Growth Area
- **Preston Mill** – Amends P-suffix condition (SV-P21) to remove the restriction of forest product sales on the Preston Mill site

## KING COUNTY CODE AMENDMENTS

### Proposed Ordinance 2008-0124 (Title 20: Planning)

- Adopts, and makes findings related to, King County Comprehensive Plan 2008 Update
- Modifies deadline for submitting docket requests to June 30 of each year
- Extends the Four-to-One program to December 31, 2011, allows director to consider need to protect critical areas in determining location of the urban area, allows reduction of open space buffer to no less than 200 feet if warranted by topography or critical areas, and requires services to come directly from the urban area, not crossing open space or rural areas
- Changes critical area decisions, except for alteration exceptions, from a Type 2 to a Type 1 land use decision
- Clarifies that Type 2 land use decisions made in context of a Type 3 or Type 4 land use decision are combined into a single review and appeal process
- Excludes from permit time periods, any period for which there is an outstanding fee balance due past 60 days of invoice
- Adds King County's Surface Water Regulations, Road Standards, and Clearing and Grading regulations to the regulations that King County has determined provide adequate mitigation under SEPA for development impacts in the Urban Growth Area
- Clarifies the critical areas to which a lower categorical exemption threshold for grading would apply

### Proposed Ordinance 2008-0125 (Title 9: Surface Water Management)

- Modifies definition of replaced impervious surface
- Modifies threshold for when drainage review is required to include replacement of impervious surfaces
- Adds water quality impacts as a consideration in Core Requirement 2
- Clarifies the activities that with the use of best management practices are not considered to be prohibited discharges for water quality purposes
- Modifies the activities that are not considered to be prohibited discharges for water quality purposes
- Clarifies who may qualify for an exemption from the requirement to implement best management practices under the Surface Water Design Manual
- Clarifies that penalties collected for enforcement of KCC Title 9 are to be used for protection of water quality programs

### Proposed Ordinance 2008-0126 (Title 13: Water and Sewer Systems)

- Substitutes "staff" for "engineers" with responsibility to make recommendations on approvals of sewer and water system plans
- Removes cross-reference to KCC 13.08.070, which has been repealed
- Includes flood hazard management and emergency response plans within the list of County-adopted plans with which water and sewer plans must be consistent
- Clarifies role of Department of Natural Resources and Parks with respect to utility comprehensive plans and implementation of groundwater management plans and wellhead protection programs
- Modifies composition and membership of the Utility Technical Review Committee (UTRC) and clarifies its authority
- Clarifies the provisions under which an on-site sewage disposal system (septic) will be allowed in the urban area
- Allows more than one exempt well if each lot in a subdivision is at least twenty acres
- Adds restriction on use of exempt wells as interim water service facilities to situations where Group B water service can be provided consistent with service preference order
- Requires any well that is abandoned in the process of connecting to a Group A water system to be decommissioned

## **Proposed Ordinance 2008-0127 (Title 14: Roads and Bridges)**

- Corrects references to "sensitive areas" in KCC Title 14
- Eliminates the Transportation Adequacy Measure standard for concurrency
- Replaces concurrency zones with larger travel sheds
- Eliminates the current two part concurrency test
- Provides that concurrency for both commercial and residential development is determined by referring to a concurrency map adopted by the King County Council
- Provides that monitored corridors for concurrency are principal and minor arterials as defined by King County Arterial Functional Classification
- Identifies Urban Mobility Areas as Urban Commercial Centers as shown on the King County Comprehensive Plan Land Use Map, having a concurrency LOS standard F
- Identifies Rural Mobility Areas as the rural towns of Fall City, Snoqualmie Pass and Vashon, having a concurrency LOS standard E
- Identifies Rural Neighborhood Business Commercial Centers of Cottage Lake, Maple Valley, Preston and Cumberland as having concurrency LOS standard D
- Conforms permit application process with revised concurrency program
- Establishes that concurrency is valid for period of permit application and development approval
- Allows rural subdivisions and short subdivisions to use purchases of TDRs from the same travel shed to achieve concurrency
- Clarifies when Highways of Statewide Significance may be included in concurrency model and when collector arterials may be included in concurrency model

## **Proposed Ordinance 2004-0128 (Title 16: Clearing and Grading; Title 19A: Land Segregation; Title 21A: Zoning), including GMNRC Chair's proposed changes**

### **Title 16 – Clearing and Grading**

- Adds "materials processing" to list of activities where the goal is to minimize impacts associated with activity
- Modifies definition of "site" to be consistent with KCC Title 21A
- Includes amount of replaced impervious surface in determining whether grading permit is required
- Modifies circumstances when permit is required for maintenance or repair of flood protection facility
- Deletes outdated standards of review
- Clarifies when grading in the road right-of-way is not exempt from permit requirement
- Allows clearing standards to apply to be transferred from on parcel to another
- Clarifies the critical areas that are to be taken into consideration in determining clearing standards
- Modifies provisions governing clearing limits for subdivisions to be consistent with those that apply to individual parcels
- Modifies standards relating to replacement topsoil to require the topsoil to have a moisture holding capacity of between five and ten percent

### **Title 19A – Land Segregation**

- Allows for civil enforcement against persons selling lots that are not legally created or recognized
- Requires private improvements outside of the right-of-way or road easement to be constructed prior to final plat recording

### **Title 21A – Zoning**

#### ***Chapter 21A.06 - Definitions***

- Adds definitions for:
  - Paintball
  - Environmental education project
- Modifies definitions of:
  - Changing message center sign
  - Fish habitat
  - Flood protection facility
  - Public road right of way structure
  - Changing message center sign
  - Slope
  - Trails

### ***Chapter 21A.08 – Permitted Uses***

- Adds paintball as a conditional use in the RA zones
- Allows detached accessory dwelling units all urban residential zones on lots greater than 5,000 square feet, subject to compliance with supplemental parking, safety and setback requirements
- Allows accessory dwelling units of between 1000 and 1500 square feet on rural lots with the purchase of a TDR
- Allows personal services and health care offices in R zones as a conditional use and subject to restrictions
- Allows clearing for agriculture as an accessory to a residential use in the Forest Zone to include agricultural activities in addition to livestock
- Allows wood products sales for materials milled on site in the F zone as an accessory use to a sawmill
- Allows animal waste digester as an accessory use to an operating dairy or livestock operation in the A zone
- Allows specified accessory uses for a motor race track in the I zone
- Deletes references to designated equestrian communities

### ***Chapter 21A.12 – Density and Dimensions***

- Modifies maximum densities in the NB, CB and RB zones to recognize that residential bonus densities allow up to 200% bonus for low income housing
- Modifies maximum density in CB to the same as the RB in mixed use developments
- Increases the base density from 18 to 48 units per acre in CB zones, with a maximum density of 72 units per acre with incentives and Transfer of Development Rights
- Allows greater wall heights where a wall crosses a setback
- Modifies requirements for site triangles to apply only to road intersections
- Allows personal services and health care offices in R zones if located within one-quarter mile of a commercial center and the reuse of an existing single family residential structure
- Establishes standard for minimum width of joint use driveway

### ***Chapter 21A.14 – Design Standards***

- Allows wall and fence height limitations to be exceeded in some instances where property abuts a critical area
- Increases the building/floor area ratios for mixed-use CB zone developments
- Conforms standards for resource tracts created through clustering with clearing standards in KCC Title 16
- Deletes references to designated equestrian communities

### ***Chapter 21A.16 – Landscaping and Water Use***

- Clarifies that required plantings in the road right-of-way may not include multi-stemmed trees
- Limits requirement for street trees to urban area subdivisions

### ***Chapter 21A.18 – Parking and Circulation***

- Clarifies off-street parking spaces (not to include garages or carports)
- Modify joint use driveway minimum width requirements
- Establish parking standards for paintball use

### ***Chapter 21A.20 – Signs***

- Allows internal illumination subject to conditions on hours and brightness
- Allows changing message center signs for schools, subject to limits on hours of operation
- Allows signs for home occupations and home industries on the same basis as for other businesses
- Allows one residential identification sign per entrance
- Allows community event signs, without a conditional use permit, limited to one month before event and two weeks after
- Establishes standards for Urban Planned Developments are the same as for Rural Towns

### ***Chapter 21A.24 – Critical Areas***

- Allowed Alterations:
  - Treats stormwater and sanitary sewer pipes the same for purposes of allowed alterations
  - Adds construction of bridge or culvert as part of a private driveway or private access road as an allowed alteration
  - Adds construction of a new road in a plat as an allowed alteration
  - Adds construction of a new residential utility service distribution line as an allowed alteration
  - Adds maintenance of or construction of new stream bank stabilization as an allowed alteration

- Adds educational projects sponsored by a public agency as an allowed alteration
- Establishes that surface water conveyance pipes through aquatic area buffers are subject to the same standards that apply to wetland buffers
- Establishes that a trail may cross a stream as an allowed alteration under the same conditions as a road
- Clarifies that noxious or invasive weed removal in agricultural drainage does not require a farm plan
- Establishes that stormwater outfalls and conveyance through critical area buffers are not always required to be vegetated conveyances
- Clearing or pruning of vegetation for maintenance of view corridors or habitat enhancement requires an approved vegetation management plan
- Clarifies standards for maintenance or repair of flood protection facilities
- Do not include drain fields associated with expansions in critical area buffers in calculating the amount allowable expansion within the critical area buffer
- Rural stewardship plans:
  - Limits to single family residential development
  - Establishes that prior alteration exception or variance is a factor in development of rural stewardship plan
- Increases to 5,000 square feet the maximum area that may be disturbed under an alteration exception
- Eliminates requirement that hearing examiner provide the council clerk notice of final decisions on appeal of an alteration exception
- Establishes that notice on title for critical areas not required for critical aquifer recharge areas
- Modifies standards for determining base flood depth and base flood velocity
- Updates references to stream bank stabilization guidelines
- Prohibits placement of a new residential structure on fill placed within a mapped FEMA floodway
- Clarifies procedures for updating Critical Aquifer Recharge Area Maps and modifying defining of Category I Critical Aquifer Recharge Area
- Updates standards for septic tanks in critical aquifer recharge areas into conformance with Washington Department of Health Standards
- Modifies wetland buffer standards to comply with current Department of Ecology guidance on wetland buffers
- Modifies method of establishing wetland buffers under a Rural Stewardship Plan
- Modifies standards for altering Category IV wetlands to be consistent with KCCP policies
- Deletes provision allowing two or more contiguous sites to be considered as one for purpose of determining wetland mitigation ratios
- Clarifies that Type O aquatic areas may be connected to other waters by a pipe or culvert
- Requires proposals to add Large Wood Debris to Type S waters to consider impact on recreational uses
- Establishes standards for locating aquatic habitat restoration projects within the agricultural production district
- Modifies wetland monitoring study requirement to encompass critical area monitoring generally
- Pre-designation of critical area to be allowed for all critical areas

#### ***Chapter 21A.28 – Public Services and Utilities***

- Modifies membership of the School Technical Review Committee

#### ***Chapter 21A.34 – Residential Density Incentives***

- Allows a density bonus for locating within one-half mile of a designated transit route or rail station
- Allows a density bonus in urban residential zones for the construction of detached single family homes 1500 square feet or smaller
- Allows a density bonus in urban growth area commercial centers that include walkable design and transit oriented elements

#### ***Chapter 21A.37 – Transfer of Development Rights (TDR)***

- Allows some state Department of Natural Resources-owned land to be sending sites
- Allows RA-2.5 zoned sites as sending sites
- Clarifies that property located within the shorelines of the state may not be TDR receiving sites
- Allows one TDR credit for every 5 acres of an RA zoned sending site
- Provides a bonus TDR credit for non-conforming lot sending sites
- Establishes each Rural TDR is equivalent to two additional credit above base density for urban receiving sites
- Funds in the TDR Bank may be used for staff support for the TDR program

### **Chapter 21A.38 – Special District Overlays**

- Economic Special District Overlay:
  - New developments receive a 50% reduction in parking requirement if they provide a minimum of 2 stories of residential above ground-floor commercial
  - Removes provisions that waive the landscaping, setback, pedestrian circulation and impervious surface and lot coverage requirements of the zoning code
  - Establishes that buildings must be orientated to face the pedestrian designed streets, and if on a corner adjacent to two pedestrian streets, buildings must orientate themselves to face both pedestrian streets
  - Establishes height and density bonuses for building structured parking

## **ADDITIONAL AMENDMENTS TO GMNRC CHAIRS'S STRIKING AMENDMENTS May Be Considered at Full Council**

### **Policy Amendments**

- **FW-102** would be amended to stress County leadership in prevention of climate change effects
- **FW-104** would be amended to require County review of actions which may result in unconstitutional takings of private property
- **RP-303** would be amended to allow an amendment to the UGA boundary to implement an amendment to an interlocal agreement or interlocal/joint agreement in existence prior to January 1, 2008
- **RP-402** would be amended to direct the County to work with the Growth Management Planning Council to establish yearly updates to city and County housing and employment growth allocation targets
- **U-163** would be amended to add back “convenient to a principal arterial” as criteria for location of multifamily housing
- **U-187** would be amended to replace the word “existing” with “original” in regards to the requirement to be contiguous to the UGA line
- **RP-203, U-337-403-406 and F-341** would be amended to correct grammar
- **R-319** would be amended to allow purchase of development rights from the County TDR Bank for use in the RA 2.5 zone
- **R-321** would be amended to allow detached accessory dwelling units on RA-5 zoned lots that are 2.5 acres or greater in size, with the purchase of a TDR
- **R-325 and R-403** would be amended to prohibit use of sewers in the Rural Area for public schools
- **R-511a and R-514** would be created or amended to allow creation of a new Industrial-zoned area on SR-169
- **E-206** would be amended to require Council approval of greenhouse gas emissions during the SEPA process
- **E-216** would be amended to set goals for reductions of greenhouse gas emissions at 80% of 2007 levels by 2050
- **T-101** would be retained regarding County role in establishing policy for Metro Transit
- **T-207, 210 and 215** would each be amended to eliminate references to proposed “Urban Mobility Areas”, thus maintaining the current required LOS E standard for all urban areas
- **T-334** would be deleted and **T-107, 301 and 303a** would each be amended to eliminate text that could trigger referral to the Regional Transit Committee
- **T-305** would be amended to make addressing existing capacity needs a priority in all parts of the County
- **F-205a** would be a new policy to require evaluation of public facilities for potential use as P-patches or community gardens
- **F-208a** would be a new policy encouraging increased access to public access defibrillators
- **F-225 and F-238 through 241** would amend water supply policies pertaining to responsibilities of water purveyors and the County
- **F-248** would be amended to prohibit use of sewers in the Rural Area for public schools
- **F-302j** would be new policy relating to energy efficiency and cost-effective renewable energy projects

### **Map Amendments**

- **Duvall** – Adds approximately 39.81 acres of residential and commercial zoning to the Rural City Urban Growth Area for the City of Duvall for development of a farm heritage park
- **Duthie Hill** – Adds approximately 47 acres of residential zoning to the Urban Growth Area adjacent to the City of Sammamish
- **Cottage Lake** – Adds a 1.8 acre parcel to the Cottage Lake Rural Neighborhood Center
- **Vashon K2** – Rezones 11.6 acres of Industrial-zoned land to Community Business to allow commercial development similar to and associated with adjacent commercial properties
- **Vashon Neighborhood Service Center** – Amends P-Suffix condition VS-P27 affecting the range of commercial uses of the parcel and allocation of profits

- **Summit Pit** – Revises the Executive-proposed amendment to require joint planning with the City of Maple Valley for residential density greater than 4 units per acre
- **Black Diamond** – Inserts amended maps for a minor adjustment of the UGA boundary
- **Reserve at Covington Creek** – Add 3 parcels (62.09 acres) to the UGA near Black Diamond and requires the purchase of TDRs
- **Jenkins Creek** – Adds 7 parcels (59.3 acres) to the UGA near Covington and requires the purchase of TDRs and an interlocal agreement between the County and the City of Covington
- **Goodnight Property** – Rezones 25.93 acres of RA-5-zoned land to I (Industrial) on SR-169, east of Renton

## Code Amendments

- Modifies KCC 20.18.030 to allow yearly UGA revisions implementing amendments for interlocal agreement or a joint interlocal/development agreements existing before Jan. 1, 2008 and the amendments include provisions for park and open space consistent with the Four-to-One program
- Modifies KCC 9.04.050 to correct a reference to another section of the code
- Modifies KCC 13.24.130 to prohibit the use of sewers to serve public schools in the Rural Area and Resource Lands
- Modifies KCC 14.45.130 and 14.70.220 to delete definitions and proposed regulations relating to Urban Mobility Areas
- Modifies KCC 21A.08.030 to allow detached accessory dwelling units on RA-5 zoned lots that are 2.5 acres or greater in size, with the purchase of a TDR
- Modifies KCC 21A.14.040 to eliminate a requirement for 50 feet of Type 2 landscaping between a street and clustered lots in the rural zone
- Modifies KCC 19A.08.170 to clarify that the prohibition on the sale of lots that are not legally recognized may be enforced through civil proceedings
- Modifies KCC 21A.24.045 to correct a reference to a document name
- Modifies “Attachment” text to insert the referenced map